REMARKS

The Non Final Office Action, mailed March 21, 2007, considered and rejected claims 1-30 and 35-41. Claims 1-30 and 35-41 were rejected under 35 U.S.C. § 103(a) as being unpatentable over Winbladh (US Patent 6,205,330) and Lager et al. (US Patent 6,636,502) and Ditzik (US Patent 7,103,380) and Forslow (US Patent 6,937,566).

By this paper, claims 1, 10, 14, 16 and 24 have been amended, claims 37-44 have been cancelled, and new claim 45 has been added, such that claims 1-30, 35-36 and 45 remain pending. Support for the claim amendments is found throughout the application, including the disclosure referencing Figure 3 and found on at least pages 18-19. New claim 45 is also explicitly supported by claim 34 which was previously presented and withdrawn. No new matter is being added to the application through the presentation of the claim amendments.

There are three independent claims at issue. Claim 1 recites a method, while claims 16 and 24 are directed to corresponding system and device claims that are configured for implementing the method of claim 1. Each of the independent claims has been amended by this paper to further define the format of the data structure used to implement the invention. Dependent claims 10 and 14 have also been amended to promote consistency of the claim language in view of the amendments to claim 1.

As previously discussed with the Examiner, the method recited in claim 1, and which is at least inferentially incorporated into claims 16 and 24, includes various acts for initiating transfer of packet data from a server to a stand-alone mobile communication station. The first recited act includes the mobile station extracting an address from an unsolicited message sent from a server by an application running on the mobile-station. The mobile station then uses the address information to establish a packet data protocol session with the server, over which corresponding packet data is transmitted to and received by the mobile-station for display at the stand-alone mobile station.

As further clarified by the amendments made by this paper, the unsolicited message comprises a data structure that is formatted with a predefined number of data fields, each data field having a correspondingly predefined length. The data structure is now defined as including the following fields:

a first field that contains a GPRS activation code which distinguishes the message from certain types of SMS messages and that indicates to the application that said message was initiated by the network server wishing to transfer the packet data to the mobile communication station,

a second field that contains an IP address comprising the first packet data network address of said network server from which the message was sent,

a third field that contains a port number of the network server to be used when establishing a TCP/IP connection with the network server,

a fourth field comprising a service indication field with data that defines a service to be initiated and that controls the presentation of a message at the stand-alone mobile communication station,

a fifth field comprising a ciphering key that is used to calculate a response to the SMS message,

a sixth field comprising a checksum,

a seventh field comprising a quality of service that the network server specifies that the stand-alone mobile communication station request from the communication network when using the packet data protocol session, and

an eighth field comprising a spare character field storing a text message referred to by the service indication field and having a size that is dependent upon a number of characters used by the first, second, third, fourth, fifth, sixth and seventh fields.

In one embodiment, found in claim 45, the data structure is even further defined as being structured according to the format of the data structure shown in Figure 3.

Initially, Applicant notes that none of the cited art, including the newly cited art, disclose or suggest any data structure for initiating transfer of packet data from a server to a stand-alone mobile communication station in the claimed format, and particularly one that includes a predefined number of fields and field sizes or that is formatted according to the structure shown in Figure 3.

For at least the foregoing reasons, Applicants respectfully submit that the pending claims are neither anticipated by nor made obvious by the new combination of art cited in the record and that the claims are, therefore, in condition for allowance.

In the event that the Examiner finds remaining impediment to a prompt allowance of this application that may be clarified through a telephone interview, the Examiner is requested to contact the undersigned attorney at 801-533-9800.

Dated this 20th day of September, 2007.

Respectfully submitted,

JENS C. JENKINS
Registration No. 44,803
Attorney for Applicant
Customer No. 22913

JCJ:ahy
AHY0000005944V001